

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANUEL ANTONIO
HERRERA-HERNANDEZ,

Defendant.

Case No. 18-CR-136-JPS

ORDER

On June 19, 2018, the grand jury returned an indictment against Defendant, charging him with reentering this country without authorization after having previously been deported and removed. (Docket #1). On August 16, 2018, the parties filed a plea agreement indicating that Defendant agreed to plead guilty to the Indictment. (Docket #9).

The parties appeared before Magistrate Judge William E. Duffin on August 24, 2018 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #11). Defendant entered a plea of guilty as to the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Duffin determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #12 at 1).

That same day, Magistrate Duffin filed a Report and Recommendation with this Court, recommending that: (1) Defendant's pleas of guilty be accepted; (2) a presentence investigation report be


prepared; and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* at 2. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* To date, no party has filed such an objection. The Court has considered Magistrate Duffin's recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge William E. Duffin's Report and Recommendation (Docket #12) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 10th day of September, 2018.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge